

No. 121

AN ACT

Providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth; conferring powers and imposing duties on certain police officers and the Board of Fish Commissioners, including the enforcement of certain existing laws; and prescribing penalties.

Motor boats.

Licenses.

Definitions.

Section 1. Be it enacted, &c., That the following words and terms, when used in this act, shall have the meanings ascribed to them in this section:

“Board.” The Board of Fish Commissioners of the Commonwealth or its duly authorized representative.

“Inland Waters.” Any public stream, artificial or natural body of water, or non-tidal waters of any river within the Commonwealth.

“Motor Boat.” Any boat propelled by any type of internal combustion motor of one or more cylinders, including any type of water craft propelled by an out-board motor.

“Person.” An individual, copartnership, association, or corporation.

The masculine shall include the feminine or neuter, and the singular shall include the plural.

License for motor boat required.

Section 2. It shall be unlawful for any person to operate or navigate, or cause to be operated or navigated, any motor boat upon, over, or through inland waters unless the owner of the boat possesses a license, and a proper metallic license plate is displayed on each side of the bow of the boat as hereinafter required, and unless the boat is operated or navigated in conformity with the rules and regulations prescribed by the board by authority of this act.

Application for license.

Section 3. Any person owning a motor boat and desiring to operate or navigate the boat, or cause it to be operated or navigated, on any inland waters, shall make a written application to the board for a license for such boat. Such application shall be made on a form prescribed, prepared, and furnished by the board, and, together with such other information as the board may require, shall state:

Contents.

(a) The name and address of the applicant, and, if the applicant is a partnership, the names and addresses of all the partners, and, if the applicant is a corporation, the names and addresses of the officers.

(b) The size, seating or other capacity, gross weight, and type of the boat.

(c) The type, number of cylinders, the horse power, and maximum speed of the motor, and the type of muffler or under-water exhaust used in connection with such motor.

License fee.

Upon receipt of an application and upon the pay-

ment of a license fee of one dollar for each cylinder of the motor built in or attached to the boat, the board shall issue to the applicant owner a license for his boat, together with duplicate metallic license plates, which plates shall contain a serial number at least five inches in height corresponding with the number on the license issued to the owner, and shall be displayed conspicuously at all times, one on each side of the bow of the boat. Such license and license plates shall be valid until the thirty-first day of December next following the date of their issuance, and may be renewed from year to year upon application and payment of a fee as in the case of the procurement of an original license.

License and
license plates.

Display.

Renewal.

Section 4. The board is hereby authorized and empowered to prescribe, promulgate, and enforce:

(a) General rules and regulations to be observed in the operation or navigation of motor boats upon, over, or through inland waters which it shall deem necessary for the public health or the safety of persons or property on or in such waters or for the preservation of all forms of useful aquatic life particularly as to speed, running, lights, signals, courses, channels, rights-of-way, and the disposal of oil, gas, gasoline, or other wastes from such boats.

General rules
and regulations.

(b) Special rules and regulations for such particular, artificial or natural areas of waters, for further limiting or restricting or prohibiting the operation or navigation of motor boats thereon to protect the public health, or to protect and preserve useful aquatic life.

Special rules
and regulations.

Section 5. The board is hereby empowered and its duty shall be to enforce the provisions of this act, the rules and regulations prescribed and promulgated hereunder, and any existing laws regulating the operation of motor boats, whenever such boats are operated or navigated on any inland waters. Any person employed or elected by this Commonwealth, or by any municipality, county, or township, and whose duty it is to preserve peace or to make arrests or to enforce the law, including the State police and game, fish, and forest wardens, is hereby authorized and empowered to make arrests, without warrant, for all violations of this act or of the rules and regulations prescribed hereunder which they may witness.

Board of Game
Commissioners
to enforce act.

Authority to
make arrests.

Section 6. Any power, duty, or jurisdiction conferred or imposed upon the board by this act shall be deemed to be supplemental to any existing power, duty, or jurisdiction conferred or imposed by law on any other administrative department, board, or commission of the Commonwealth over, upon, or in any inland waters, and it shall be the duty of every such department, board, or commission to cooperate with the board in carrying out the purposes of this act.

Supplemental
power.

Cooperation.

Disposition of fees, etc.

Section 7. All license fees, fines and penalties, collected or received under the provisions of this act, shall be paid into the State Treasury, through the Department of Revenue, and credited to the Fish Fund.

Violation of act.

Section 8. Any person violating any provision of this act, or any rule or regulation prescribed by the board under this act, shall, upon conviction thereof in a summary proceeding before a justice of the peace, alderman or magistrate, be sentenced to pay a fine of not less than twenty-five dollars and costs nor more than one hundred dollars and costs, or, in default of payment thereof, thirty days in jail; and, in addition, the board may revoke the license issued for the motor boat used by such person.

Penalty.

Revocation of license.

Effective date.

Section 9. This act shall become effective on the first day of July, one thousand nine hundred thirty-one.

APPROVED—The 28th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 122

AN ACT

Authorizing the State Treasurer, under certain conditions, to transfer sums of money from the General Fund to the Motor License Fund; providing for the subsequent transfer of an equal sum from the Motor License Fund to the General Fund; and making appropriations necessary to effect such transfers.

General and Motor License Funds.

Transfer of moneys.

Section 1. Be it enacted, &c., That the State Treasurer is hereby authorized and directed, from time to time during the current calendar year, to transfer from the General Fund to the Motor License Fund such sums, not exceeding in the aggregate the sum of ten million dollars (\$10,000,000), as the Governor may approve. Any sums so transferred shall be available for the purposes for which the Motor License Fund is appropriated by law. Transfers shall be made hereunder upon warrant by the Auditor General upon requisitions of the Governor.

Retransfer.

Section 2. In order to reimburse the General Fund, an amount equal to that transferred at any time under section one of this act shall be transferred from the Motor License Fund to the General Fund in twelve equal monthly instalments, beginning six months after the date of transfer. Such transfers shall be made by the State Treasurer upon requisition and warrant of the Auditor General, who shall furnish to the Governor, the Secretary of Revenue, and the Secretary of Highways a copy of each requisition drawn for this purpose.

Monthly instalments.